

KattenMuchinRosenman LLP**BEST AVAILABLE COPY**575 Madison Avenue
New York, NY 10022-2585
212.940.8800 tel
212.940.8776 fax**Facsimile**

To	Company	Fax Number	Phone Number
Examiner Brandon J. Miller	USPTO GAU - 2683 Confirmation No. 4863	1-571-273-8300	

Date
August 9, 2006Client/Matter Number
FUJMO 20.952**RECEIVED
CENTRAL FAX CENTER**From
Dexter T. ChangAttorney Email Address
dexter.chang@kattenlaw.com**AUG 09 2006**Phone
212.940.6384Fax
212.940.8986Total number of pages, including cover letter: 18
If you do not receive all of the pages, please call: (212) 940-8755**Comments****** EXPEDITED PROCEDURE ****

Serial No.: 10/787,357

**2 pages - RE-SUBMISSION OF PETITION TO REVIVE UNINTENTIONALLY ABANDONED
APPLICATION UNDER CFR § 1.137(b)****1 page - COPY OF PATENT POSTCARD DATED MAY 4, 2006****3 pages - COPY OF PETITION TO REVIVE DATED MAY 4, 2006****10 pages - COPY OF RESPONSE TO OFFICE ACTION DATED MAY 4, 2006****1 page - UNITED STATES POSTAL SERVICE TRACK & CONFIRM FORM****For Messenger Department Use Only**

Your fax has been sent. Attached is your original.

Date

Time

Signature

Important

This facsimile transmission contains information intended for the exclusive use of the individual or entity to whom it is addressed and may contain information that is proprietary, privileged, confidential and/or exempt from disclosure under applicable law.

If you are not the intended recipient (or an employee or agent responsible for delivering this facsimile transmission to the intended recipient), you are hereby notified that any copying, disclosure or distribution of this information may be subject to legal restriction or sanction. Please notify the sender by telephone to arrange for the return or destruction of the information and all copies.

NEW YORK CHARLOTTE CHICAGO IRVING LONDON LOS ANGELES PALO ALTO WASHINGTON, DC WWW.KATTENLAW.COM

LONDON AFFILIATE: KATTEN MUCHIN ROSENMAN CORNISH LLP

A limited liability partnership including professional corporations

NYC01_84107720_1_100593_00176 8/9/2006 3:21 PM

BEST AVAILABLE COPY

Aug-09-2006 02:34pm From-KATTENMUTTAN1527B

+212 940 8986

T-847 P.002

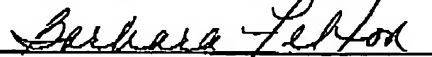
F-214

Serial No. 10/787,357

Page 1 of 2

Certification Of Facsimile Transmission

I hereby certify that this paper is being facsimile transmitted to (571) 273-8300 at the U.S. Patent and Trademark Office on August 9, 2006.



Barbara Felton

RECEIVED
CENTRAL FAX CENTER

AUG 09 2006

Attorney Docket No.: 100794-00556 (FUJMO 20.952)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors : Yuji KINUZAWA et al.
Confirmation No. : 4863
Serial No. : 10/787,357
Filed : February 25, 2004
Title : MOVABLE RADIO COMMUNICATION APPARATUS
Examiner : Brandon J. Miller
Group Art Unit : 2683

August 9, 2006

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Re-Submission of Petition to Revive Unintentionally Abandoned Application Under 37

CFR § 1.137(b)

To the Commissioner for Patents:

Applicants enclose a Petition to Revive Unintentionally Abandoned Application Under 37 CFR § 1.137(b) that was filed by Express Mail for the above-referenced patent application on May 4, 2006, along with copies of the accompanying Response to Office Action and the corresponding Express Mail delivery confirmation. A Notice of Abandonment was issued on

64154530_1

BEST AVAILABLE COPY

Aug-08-2006 02:34pm From-KATTENMUTTAN1527B

+212 940 8986

T-847 P.003

F-214

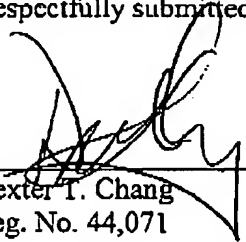
Serial No. 10/787,357

Page 2 of 2

May 16, 2006, and Applicants' undersigned representative confirmed by telephone that the Office of Petitions did not receive the May 4 petition delivered to the USPTO. Thus, Applicants hereby re-submit the Petition for consideration.

Please direct any inquiries regarding this petition to the Applicants' undersigned attorney at the telephone number listed below.

Respectfully submitted,


Dexter T. Chang
Reg. No. 44,071

CUSTOMER NUMBER 026304

Telephone: (212) 940-6384

Fax: (212) 940-8986 or 8987

Docket No.: 100794-00556 (FUJMO 20.952)

DTC:bf

84154530_1

TO: Assistant Commissioner for Patents

Serial/Patent No. 10/787,357Filing date FEB. 25, 2004Inventor(s): YUJI KINUZAWATitle: MOVABLE RADIO COMMUNICATION APPARATUSEXPRESS MAIL CERT. # EV 478559-310 USAtty Docket No. EU-IMP-20Date Mailed 5-4-06Attorney D. CHANG

The U.S. Patent & Trademark Office stamp herein acknowledges receipt of the following:

<input type="checkbox"/> Application (Utility or Design)	<input type="checkbox"/> Total Pages
<input type="checkbox"/> Preliminary Amendment	<input type="checkbox"/> Sheets of Drawings (Figs.)
<input type="checkbox"/> Declaration and Power of Attorney	<input type="checkbox"/> Fee Transmittal Sheet
<input type="checkbox"/> Transmittal Letter	<input type="checkbox"/> Response to Missing Parts
<input type="checkbox"/> Small Entity Form	<input type="checkbox"/> Amendment
<input type="checkbox"/> Assignment and Cover Sheet	<input type="checkbox"/> IDS & Citation in Application Form
<input checked="" type="checkbox"/> Response to Office Action	<input type="checkbox"/> Certified Copy of Priority Document
<input checked="" type="checkbox"/> Petition <u>TO REVIVE</u> <u>37CFR 1.13(b)</u>	<input type="checkbox"/> Check(s) # for \$
<input type="checkbox"/> Certificate of Mailing	<input type="checkbox"/> Letter to Official Draft Person
<input checked="" type="checkbox"/> Express Mail Certificate-Label # <u>SEP ABOVE</u>	<input type="checkbox"/> Corrected Figures
<input type="checkbox"/> Other:	<input type="checkbox"/> Request for Refund of Fee

Serial No. 10/787,357

Page 1 of 3

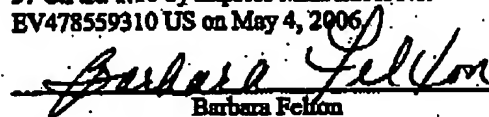
Certification Of Express Mail Transmittal

I hereby certify that this paper is being transmitted
to the U.S. Patent and Trademark Office pursuant to
37 C.F.R. 1.10 by Express Mail Label No.
EV478559310 US on May 4, 2006.

RECEIVED

CENTRAL FAX CENTER

AUG 09 2006


Barbara FeltonAttorney Docket No.: 100794-00556 (FUJMO 20.952)

EV478559310US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors : Yuji KINUZAWA et al.
Confirmation No. : 4863
Serial No. : 10/787,357
Filed : February 25, 2004
Title : MOVABLE RADIO COMMUNICATION APPARATUS
Examiner : Brandon J. Miller
Group Art Unit : 2683

May 4, 2006

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Petition to Revive Unintentionally Abandoned Application Under 37 CFR § 1.137(b)

To the Commissioner for Patents:

A non-final Office Action was mailed on November 1, 2005 for the above-referenced
patent application. Applicants timely submitted, by facsimile, a response on February 1, 2006.
The Examiner contacted Applicants' representatives on May 4, 2006 by telephone to indicate

8413253_1

Serial No. 10/787,357

Page 2 of 3

that a response to the Office Action had not been received before the final extendible due date of May 1, 2006—six months from the mailing date of the Office Action. Applicants' representatives have misplaced the facsimile receipt confirmation from the United States Patent and Trademark Office. Accordingly, the application was abandoned as of February 1, 2006. Applicants have not received a Notice of Abandonment at the time of this filing.

With their belief that a response was duly filed on February 1, 2006, Applicants hereby submit that the entire delay in filing a response from February 1, 2006 until the filing of a grantable petition pursuant to 37 C.F.R. § 1.137(b) was unintentional.

As required by 37 C.F.R. § 1.137(b)(1), Applicants enclose a response to the November 1, 2005 Office Action.

The Commissioner is hereby authorized to charge the fee required by 37 C.F.R. § 1.137(b)(2) and as set forth in 37 C.F.R. § 1.17(m) to Deposit Account No. 50-1290. It is believed that no other fees are due with this petition. However, if any other fees are due with this paper, the Commissioner is hereby authorized to charge such fee(s) to Deposit Account No. 50-1290.

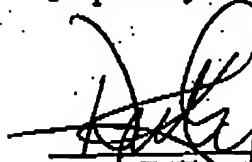
84132352_1

Serial No. 10/787,357

Page 3 of 3

Please direct any inquiries regarding this petition to the Applicants' undersigned attorney
at the telephone number listed below.

Respectfully submitted,


Dexter T. Chang
Reg. No. 44,071

CUSTOMER NUMBER 026304

Telephone: (212) 940-6384

Fax: (212) 940-8986 or 8987

Docket No.: 100794-00556 (FUJMO 20.952)

DTC:bf

Serial No. 10/787,357

Page 1 of 10

Certification Of Express Mail Transmittal

I hereby certify that this paper is being transmitted
to the U.S. Patent and Trademark Office pursuant to
37 C.F.R. 1.10 by Express Mail Label No.
EV 478559310 US on May 4, 2006.


Barbara Felton

RECEIVED
CENTRAL FAX CENTER

AUG 09 2006

Attorney Docket No.: 100794-00556 (FUJMO 20.952)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Yuji KINUZAWA, et al.
Confirmation No.: 4863
Serial No.: 10/787,357
Filed: February 25, 2004
Title: MOVABLE RADIO COMMUNICATION APPARATUS
Examiner: Brandon J. Miller
Group Art Unit: 2683

May 4, 2006

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO OFFICE ACTION

SIR:

In connection with the Petition to Revive Unintentionally Abandoned Application Under
37 CFR § 1.137(b) filed concurrently herewith and in response to the non-final Office Action
dated November 1, 2005, please amend the subject application as follows:

IN THE CLAIMS

1. (currently amended) A movable radio communication apparatus comprising:

a speaker that outputs sounds;

a first housing that accommodates said speaker;

an antenna part that communicates with an external apparatus; [[and]]

a second housing coupled to said first housing and foldable relative to said first housing, said second housing accommodating said antenna part; and

a mechanism that flips said second housing,

wherein said second housing is coupled rotatably to said first housing, and

wherein said mechanism includes:

a forcing part that applies a force to said second housing so as to keep said second housing from said first housing;

a fixing part that fixes said second housing onto said first housing; and

a moving part movable between first and second positions, and forced to return from the second position to the first position, said moving part when located at the second position, releasing a fixation of said second housing by said fixing part, and said moving part when located at the first position, enabling said fixing part to fix said second housing.

2. (original) A movable radio communication apparatus according to claim 1, further comprising an operation part that inputs communication information, wherein said second housing is provided opposite to said operation part with respect to said speaker.

Serial No. 10/787,357
Page 3 of 10

3. (original) A movable radio communication apparatus according to claim 1, wherein said second housing forms an angle between 90° and 135° relative to said first housing.

4. (original) A movable radio communication apparatus according to claim 1, further comprising a display that displays communication information.

5. (original) A movable radio communication apparatus according to claim 1, wherein said second housing accommodates a GPS antenna.

6. (original) A movable radio communication apparatus according to claim 1, wherein said second housing accommodates a Bluetooth antenna.

7. (original) A movable radio communication apparatus according to claim 1, wherein said second housing accommodates an image pickup device.

8. - 9. (canceled).

10. (currently amended) A movable radio communication apparatus according to claim [[9]] 1, wherein said moving part is provided onto said first housing.

11. (currently amended) A movable radio communication apparatus comprising:

a speaker that outputs sounds;

a first housing that accommodates said speaker;

an operation part that inputs communication information; [[and]]

a second housing, provided opposite to said operation part with respect to said speaker, coupled to said first housing, and foldable relative to said first housing, said second housing accommodates at least one of a GPS antenna, a Bluetooth antenna, and an image pickup device; and.

a mechanism that flips said second housing,

wherein said second housing is coupled rotatably to said first housing, and

wherein said mechanism includes:

a forcing part that applies a force to said second housing so as to keep said second housing from said first housing;

a fixing part that fixes said second housing onto said first housing; and

a moving part movable between first and second positions, and forced to return from the second position to the first position, said moving part when located at the second position, releasing a fixation of said second housing by said fixing part, and said moving part when located at the first position, enabling said fixing part to fix said second housing.

12. -- 16. (canceled)

17. (currently amended) A movable radio communication apparatus according to claim [[16]] 11, wherein said moving part is provided onto said first housing.

18. (currently amended) A movable radio communication apparatus comprising:

a speaker that outputs communicatee's voices;
a first housing that accommodates said speaker;
an antenna part that communicates with an external apparatus; [[and]]
a second housing coupled to said first housing and movable or displaceable
relative to said first housing, said second housing accommodating said antenna part; and
a mechanism that flips said second housing
wherein said second housing is coupled rotatably to said first housing, and
wherein said mechanism includes:
a forcing part that applies a force to said second housing so as to keep said second
housing from said first housing;
a fixing part that fixes said second housing onto said first housing; and
a moving part movable between first and second positions, and forced to return
from the second position to the first position, said moving part when located at the second
position, releasing a fixation of said second housing by said fixing part, and said moving part
when located at the first position, enabling said fixing part to fix said second housing.

19. (original) A movable radio communication apparatus according to claim 18, wherein
said second housing accommodates a GPS antenna.

20. (original) A movable radio communication apparatus according to claim 18, wherein
said second housing accommodates a Bluetooth antenna.

21. (original) A movable radio communication apparatus according to claim 18, wherein said second housing accommodates an image pickup device.

22. – 23. (canceled)

24. (currently amended) A movable radio communication apparatus according to claim [[23]] 18, wherein said moving part is provided onto said first housing.

25. (withdrawn from consideration) A method for manufacturing a movable radio communication apparatus that includes a speaker that outputs communicatee's voices, and a first housing that accommodates said speaker, said method comprising the steps of:

producing plural types of second housings, each of which is to be coupled to the first housing and foldable relative to the first housing, the second housing accommodating different types of function expansion members, each function expansion member expanding a function of the movable radio communication apparatus; and

attaching one of the plural types of second housings to the first housing.

Serial No. 10/787,357

Page 7 of 10

RECEIVED
CENTRAL FAX CENTER

AUG 09 2006

REMARKS

Applicants cancel claims 8-9, 12-16, and 22-23. Claims 1-7, 10-11, 17-21, and 24-25 remain pending in the application. Claim 25 has been withdrawn from consideration, and Applicants reserve the right to file a divisional application directed thereto. Applicants amend claims 1, 11, and 18 to incorporate the features of canceled claims 8-9, 12-16, and 22-23, respectively, and amend claims 10, 17, and 24 to maintain proper dependencies. No new matter has been added.

Claims 1-3, 8-11, 15-18 and 22-24 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,405,064 to Endo et al.; and claims 4-7, 12-14 and 19-21 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Endo et al. in view of U.S. Patent Application Publication No. 2004/0204189 to Guetre et al. Applicants cancel claims 8-9, 12-16, and 22-23 and incorporate their respective features in base claims 1, 11, and 18. Applicants respectfully traverse the Examiner's rejection.

The Examiner relied upon the description in Endo et al. of a housing 13 that includes a built-in antenna feeding circuit connected to an antenna unit 14, which is extendible from an antenna support 16, as alleged disclosure of the claimed second housing. Col. 6, lines 43-48 of Endo et al. Endo et al. do not disclose, however, a fixing part that fixes either the housing 13 or the antenna support 16 to the housing 1A when housing 13 is in the position illustrated in Fig. 14 of Endo et al. Indeed, Endo et al. merely describe moving housing 13 between the position illustrated in Fig. 14 thereof and the spread position illustrated in Fig. 15 thereof, and do not disclose any mechanism for applying force to keep housing 13 in one position or another. Correspondingly, Endo et al. do not disclose or suggest a fixing part for fixing housing 13 in the other position against the applied force. And thus, Endo et al. do not disclose or suggest the

mechanism flipping the housing 13 from the fixed position to the forced position. In other words, Endo et al., as cited and relied upon by the Examiner, fail to disclose

"a speaker that outputs sounds;
a first housing that accommodates said speaker,
an antenna part that communicates with an external apparatus;
a second housing coupled to said first housing and foldable relative to said first housing, said second housing accommodating said antenna part; and
a mechanism that flips said second housing,
wherein said second housing is coupled rotatably to said first housing, and
wherein said mechanism includes:
a forcing part that applies a force to said second housing so as to keep said second housing from said first housing;
a fixing part that fixes said second housing onto said first housing; and
a moving part movable between first and second positions, and forced to return from the second position to the first position, said moving part when located at the second position, releasing a fixation of said second housing by said fixing part, and said moving part when located at the first position, enabling said fixing part to fix said second housing," as recited in claim 1. (Emphasis added)

Accordingly, Applicants respectfully submit that claim 1, together with claims 2-3 and 10 dependent therefrom, is patentable over Endo et al. for at least the foregoing reasons. Claim 18 includes features that correspond to those of claim 1 cited above and is, therefore, together with claim 24 dependent therefrom, patentable over Endo et al. for at least the same reasons. The Examiner relied upon Guetre et al. as a combining reference for specifically addressing the additional features recited in claims 4-7, 12-14, and 19-21. As such, even assuming, arguendo, that it would have been obvious to one skilled in the art at the time the claimed invention was made to combine Endo et al. and Guetre et al., such a combination would still fail to overcome the above-described deficiency of Endo et al. with respect to claim 1. Thus, claims 4-7, which depend from claim 1, and claims 19-21, which depend from claim 18, are patentable over Endo

et al. and Guetre et al., separately and in combination, for at least the foregoing reasons.

Applicants cancel claims 12-14 and incorporate the features recited therein to claim 11. And claim 11 incorporates features that correspond to those of claim 1 cited above. As such, claim 11, together with claim 17 dependent therefrom, is patentable over the cited references for at least the above-stated reasons.

The above statements on the disclosures in the cited references represent the present opinions of the undersigned attorney. The Examiner is respectfully requested to specifically indicate those portions of the respective reference that provide the basis for a view contrary to any of the above-stated opinions.

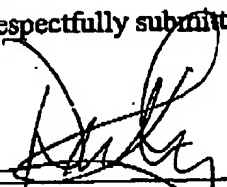
Applicants appreciate the Examiner's implicit finding that the additional references made of record, but not applied, do not render the claims of the present application unpatentable, whether these references are considered alone or in combination with others.

Serial No. 10/787,357
Page 10 of 10

In view of the remarks set forth above, this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper, not fully covered by an enclosed check, may be charged on Deposit Account 50-1290.

Respectfully submitted,



Dexter T. Chang
Reg. No. 44,071

CUSTOMER NO.: 026304
Telephone No.: (212) 940-6384
Fax No.: (212) 940-8986/87
Docket No.: 100794-00556 (FUJMO 20.952)
DTC:bf



[Home](#) | [Help](#)

[Track & Confirm](#)

Track & Confirm

Search Results

Label/Receipt Number: EV47 8559 310U S

Detailed Results:

- Delivered, May 05, 2006, 8:35 am, ALEXANDRIA, VA 22313
- Arrival at Unit, May 05, 2006, 7:51 am, DULLES, VA 20102
- Acceptance, May 04, 2006, 5:44 pm, NEW YORK, NY 10150

[< Back](#)

[Return to USPS.com Home >](#)

Track & Confirm

Enter Label/Receipt Number.

Notification Options

Track & Confirm by email

Get current event information or updates for your item sent to you or others by email. [Go >](#)

Proof of Delivery

Verify who signed for your item by email, fax, or mail. [Go >](#)



POSTAL INSPECTORS
Preserving the Trust

[site map](#)

[contact us](#)

[government services](#)

[jobs](#)

[National & Premier Accounts](#)

Copyright © 1999-2004 USPS. All Rights Reserved. [Terms of Use](#) [Privacy Policy](#)

**This Page is Inserted by IFW Indexing and Scanning
Operations and is not part of the Official Record.**

BEST AVAILABLE IMAGES

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images include but are not limited to the items checked:

☐ **BLACK BORDERS**

☐ **IMAGE CUT OFF AT TOP, BOTTOM OR SIDES**

☐ **FADED TEXT OR DRAWING**

☒ **BLURRED OR ILLEGIBLE TEXT OR DRAWING**

☐ **SKEWED/SLANTED IMAGES**

☐ **COLOR OR BLACK AND WHITE PHOTOGRAPHS**

☐ **GRAY SCALE DOCUMENTS**

☐ **LINES OR MARKS ON ORIGINAL DOCUMENT**

☐ **REFERENCE(S) OR EXHIBIT(S) SUBMITTED ARE POOR QUALITY**

☐ **OTHER:** _____

IMAGES ARE BEST AVAILABLE COPY.

As rescanning these documents will not correct the image problems checked, please do not report these problems to the IFW Image Problem Mailbox.